

TOWN OF DUNE ACRES
COUNCIL MINUTES
for June 15, 2004

The Town of Dune Acres Town Council met for its regular monthly meeting on Tuesday, June 15, 2004, at the Town Hall.

Town Council President Benjamin Bolton called the meeting to order at 7:00 p.m. with Councilpersons John Wilhelm and Louise Roberts, Clerk-Treasurer Anne Hiestand and Town Attorney Dan Whitten in attendance.

Council President Benjamin Bolton opened the meeting with the Pledge of Allegiance.

APPROVAL OF MINUTES: The minutes of the May 18, 2004 meeting were reviewed. Councilperson John Wilhelm moved that the minutes be approved as presented which motion was seconded by Council President Louise Roberts and unanimously carried.

FINANCIAL REPORT FOR the TOWN OF DUNE ACRES and WATER UTILITY as of May 30, 2004:

DA Checking at Bank One	\$36,160.39
DA Money Market Account at Bank One	\$137,978.86
	\$174,139.25
DA Water Utility Checking Account at First State Bank of Porter	\$380,645.62
TOTAL cash on hand	\$554,784.87

Councilperson John Wilhelm made a motion to accept the Financial Report as submitted, which motion was seconded by Councilperson Louise Roberts and unanimously carried.

PAYMENT OF CLAIMS: Councilperson John Wilhelm moved and Councilperson Louise Roberts seconded a motion to pay the Claims submitted by the Clerk-Treasurer, which motion was unanimously carried, approving the Claims.

Andrew Belsha	May 2004 Payroll	\$591.83
Atha W. Belsha	May 2004 Payroll	\$1,290.92
Anne M. Hiestand	May 2004 Payroll	\$354.58
David W. Kristophel	May 2004 Payroll	\$628.71
Philip A. Lepley	May 2004 Payroll	\$1,239.28
Nick Markovich	May 2004 Payroll	\$807.49
Terry R. Trout	May 2004 Payroll	\$641.07
Garrett L. Tyrrell	May 2004 Payroll	\$807.49
John T. Vucko	May 2004 Payroll	\$72.20
Raymond C. Friday	May 2004 Payroll	\$791.89
Bank One	May 2004 Payroll	\$1,890.70
Indiana Dept. of Revenue	May 2004 Payroll	\$323.91
Atty. Dan Whitten	Second Quarter Legal Fees	\$1,250.00
Pioneer Lumber Inc.	Maintenance Supplies	\$24.64
Datagraphic	Beach Pass Supplies	\$29.00
Able Disposal	Monthly Garbage Service	\$74.00
Verizon North	Monthly Service	\$131.21
Nextel	Monthly Service	\$64.68
Nipsco	Monthly Service	\$194.31
Ray Friday	Truck rental & mileage/ May	\$101.41
Anne Hiestand	Postage & copying	\$44.42
Anne Hiestand	Balance due Bank One in May	\$63.00
Anne Hiestand	St. Board of Accts. School	\$65.00
Quill Corporation	Paper, ink cartridges, indexes	\$87.91
Pinkerton Fuels	Gasoline for vehicles	\$92.86
Anton Insurance	Balance for IPEP due to 2003 audit	\$204.00
Bank One Credit Card	Lowes,Leeps,Star, Menards, Walmart	\$182.48

Leep's Supply Company	Pipe fittings for Pumphouse connection	\$309.70
Resource Utility Supply	Pipe fittings for Pumphouse connection	\$89.13
Advanced Drainage	Portable Toilet one month charge	\$85.00
	Total	\$12,532.82

CORRESPONDENCE: Councilperson John Wilhelm reported receiving an anonymous e-mail reminding all concerned that the Section 6.2 of Town Ordinance 121 currently provides for rentals of 30 days or more with a total of four changes in a year. Councilperson John Wilhelm advised that he had reviewed those provisions with Lakeshore Realty which often acts as a rental agent for Dune Acres property owners.

A letter was received from Mary Ann Crayton of 2 Crest Drive suggesting the construction of three or four speed bumps between Pine Lane and the tennis courts for the purpose of slowing down traffic on East Road. A letter was received from Town Resident Patrice Bapst of 10 Crest Drive asking for changes in the recently reconstructed speed bumps at the Security Office. Road Commissioner Irv Call advised that those speed bumps had been widened as of the afternoon of June 15, 2004 and were not nearly as severe to cross.

John Wilhelm reported that new resident Marsha Collins-Mroz had responded to a request for itemization of the work being done at 23 Ridge Drive and that the itemization was now in hand. Council President Benjamin Bolton told Ms. Collins-Mroz, who had arrived at the meeting during the discussion of her correspondence, that the Town will look over the itemization and bill her the additional building permit fees that she might owe. The Clerk-Treasurer Anne Hiestand advised that she felt her discussion with the property owner concerning potential additional fees had been misconstrued.

Two letters from Comcast Cable Television were acknowledged but not read or discussed.

COMMISSION REPORTS:

FIRE: No report to the Council. Councilperson John Wilhelm urged Town residents to participate in the Porter Fire Department raffle which was the primary fundraiser for the Department. He acknowledged that the Porter Volunteer Fire Department had been doing a good job for Town residents.

MUNICIPAL CODE: Councilperson John Wilhelm advised that there was no report and that he was still looking for the revisions to the Comprehensive Plan which had been recommended.

ROADS COMMISSIONER: Road Commissioner Irv Call Reported that paving had been completed on Mineral Springs and that the new speed bumps were three inches tall as opposed to three-and-a-quarter inches for the ones that were there before. He reported receiving seven telephone calls with one resident saying that the speed bumps were too aggressive, two residents being outspoken in their criticism of the speed bumps and four residents who found them to be "great." The Security officers reported that the new speed bumps have been working and that everyone has been stopping. He reported that he had the road cut down in the area of the Security office before resurfacing and the speed bumps will beat down with traffic. Grading had been completed in the East Beach area and the road cleaned up by the McLaughlin residence at 75 East Road. The excess sand had been used to build up the emergency access road under construction. One problem was that the equipment used to move the sand didn't have much traction in sand and a crawler unit will be needed to complete the grading. Commissioner Call has been in contact with Nutec with regard to using stabilizing material to prevent the sand drifting onto the East Road corner near the McLaughlin residence.

The Road Commissioner advised that the plan to use the Ogden Dunes tractor for mowing had fallen through and that he had lined up another source for the service which had backed out. Another contractor has been lined up to start the coming weekend.

Town resident Allison Bradshaw, 23 Summit Drive, expressed her concern and provided photographs documenting erosion along the edge of Summit Drive. It is

Ms. Bradshaw's concern that a pine tree will fall and that buried cables are being exposed. Road Commissioner Call reported that an erosion problem also exists on Hill Drive and that he would have the contractor for the Town paving projects look at both situations. He is also trying to inspire the contractor to complete the necessary road patching and has advised the contractor that payments for all the Town projects will not be approved until the detail patching has been completed.

Councilperson John Wilhelm suggested that the washout areas be reinforced using small boulders like those he has seen along the Indiana Toll Road. Road Commissioner Call advised that he had a system in mind of installing a drainpipe with high asphalt curbs. The suggestion was made that the services of another contractor be sought for the drainage projects which are not a part of the contract with the paver doing the Town's work. Road Commissioner Call responded that it is a problem to get one contractor working and that it would compound the required effort if he were trying to get two different contractors to work.

Road Commissioner Call also advised that work needs to be done on Boté Drive in the Town of Porter to prevent water from coming into Dune Acres in the area of the emergency access road thereby flooding Dune Acres basements.

TOWN ENGINEER:

Town Engineer Irv Call reported that work at the former Pumphouse/Maintenance Building has continued with a dumpster in place for debris removal. The Pumphouse tank is empty except for sludge at the bottom. All the chlorine tanks have been removed and the signs warning of chlorine danger have been taken down. A water meter yoke was installed that will have to be moved. With regard to the water quality for the sprinkler system water being stored after the tank is cleaned, a suggestion had been made that a swimming pool contractor could monitor the water quality and the Town Engineer suggested a half-horsepower recirculating pump operating 50% of the time. The work in replacing valves has been slow. The Town is attempting to comply with fire protection codes and address long-term pump maintenance concerns.

POLICE: Irv Call reported that Police Commissioner Cecilia Call was ill but that the Security officers were looking for advice concerning the issue of beach closings. Beach Commissioner Rob Carstens advised that he would be reporting on the new system for beach closings.

BEACH: Beach Commissioner Rob Carstens reported that 20 buoys had been put in place that day to delineate the swimming areas and that Town resident Jerry Mickelson, 74 West Road, donated \$1000 to the Town for better delineation of the west end of the swimming area. Excess sand removed from the East Beach area had been dumped over the revetment rocks to help cover them. The Beach Committee is trying to have a more natural look at the East Beach parking lot.

An application has been filed for a State grant for the e-coli testing at East Beach and the Hill Beach. The results will be immediately available on a website and "No Swimming" signs will be posted when the e-coli count exceeds 235 parts per million. New signs are being utilized in addition to the "No Swimming" signs. A new sign advising that "Warning - Conditions Exist for E-coli" will be posted when the lake conditions that normally give rise to an elevated e-coli count are present so that residents can be warned even before the official test results are posted on the website "Earth911.org." Since there is normally a 24-hour lag in reporting test results, the new signs warning of conditions that could give rise to e-coli will help keep residents safe. The testing program will consist of two samples per day seven days a week. Commissioner Carstens advised that he will contact the Town's webmaster, Howard Silverman, and ask him to put a link to the Earth911.org site on the Dune Acres website.

Commissioner Carstens reported that he and the Seatons will have the only jet skis that he is aware of. Clerk-Treasurer Anne Hiestand reminded Town residents of the need to register jet skis per Town ordinance.

PARKS: There was no report presented to the Council on Parks.

BUILDING: Building Commissioner John Sullivan advised that the Duneland Group report on the new construction at 2 Oak Drive had been received and reviewed with the builder. Commissioner Sullivan will write a letter to the builder requesting the reimbursement of the Duneland Group expense.

ENVIRONMENT: Environmental Commissioner Susan Smith reported that she had received a wrap-up report from Sandy O'Brien on the efforts to eradicate garlic mustard plants. Ms. O'Brien also reported that the Clubhouse dune has "trees of heaven" (ailanthus) at the top and huge oriental bittersweet vines at the northerly end of the east facing slope. She also advised that the Clubhouse dune needs major reseeding with at least cheap savannah grasses such as Virginia wild rye and woodland brome to hold the sand until fire brings back the native vegetation.

Commissioner Smith advised that Mary Ann Crayton, John Sullivan, Barbara Plampin and herself had reviewed a vacant lot as part of the Environmental Committee's recovery program for any plants removed during construction and replanting them in an environment in which they can continue to thrive. The property owner, John Ebersole, was enthusiastic about their efforts. Commissioner Smith advised that she had blue stem grass seed for disturbed sand on East Road near the McLaughlin residence.

WATER: It was reported that Rick Demkovich is no longer active as the Water Commissioner, but that Heidi Sullivan had been helping out with the water issues. Council President Benjamin Bolton met with Indiana American Water Co. along with Town Engineer Irv Call with regard to the Town's concerns about the cleaning up of the Indiana American Water Co.'s project sites. Council President Bolton reported that Indiana-American was looking at projects like installation of a new main on Oak Drive and abandoning a broken main on Clubhouse Drive. Indiana-American will measure flow rates to determine whether a new line from Beach Drive to Circle Drive will improve water pressure.

OLD BUSINESS: Fireworks donations this year have been between \$4300 and \$4400 with 54 out of 156 families contributing to the balance on hand of just under \$5000 counting last year's carry-forward. The Council would like to have a reserve for most of the next year's fireworks carried forward to 2005. Town resident Terry Hiestand, 2 Fern Lane, stated he hoped that the Town would be able to get out the word to everyone that no private fireworks are allowed in the Town and Councilperson John Wilhelm said he would be certain that was posted on the bulletin board at the Security office.

Councilperson John Wilhelm reported that three quotes had been received for the final grading, installation of the geotextile fabric and installation of the geoweb system using limestone and constructing a small retaining wall on the north side of the emergency access road. He recommended accepting the Duneland Landscape, LLC quote for \$6,898 even though it was \$110 higher than the quote from Hubinger Landscaping Corp. of \$6,788 because Duneland Landscape, LLC could complete the project this summer while Hubinger would not be able to schedule the project until the Fall. The specification for slag had been changed to 35 tons of limestone at no additional cost. The Council unanimously approved the recommendation to accept the quote of Duneland Landscape, LLC.

Commissioner Wilhelm reported that the project had initially been budgeted for \$10,000 and that \$3,950 had been expended for the initial grading. The Council acknowledged that the estimate for the remaining work without the installation of the wooden gate required by the easement documents was \$9,722 and that additional funds would have to be transferred to cover the expenditures. Commissioner Wilhelm reported that Gary Traynham, Assistant Superintendent of the Indiana Dunes National Lakeshore, had advised that he had spoken with Superintendent Dale Endquist and the Lakeshore would not be able to provide one of its typical wooden arm gates as they are unable to keep up with their own gate needs. Councilperson Wilhelm advised he will continue to search for a wooden arm gate specified by the easement agreement but that in the meantime he would ask

Maintenance Commissioner William Griffin to have a temporary cable barrier installed across the emergency exit road.

NEW BUSINESS: Clerk-Treasurer Anne Hiestand read the vacations/salary Resolution No. 2004-1 which was moved for adoption by Councilperson John Wilhelm and seconded by Councilperson Louise Roberts and unanimously carried.

RESOLUTION 2004-1

2004 VACATION PAY RESOLUTION

BE IT RESOLVED by the Town Council of the Town of Dune Acres to authorize vacation pay to hourly employees with continuous service as follows:

Andrew W. Belsha, 1 year service security	1 week vacation pay
Raymond C. Friday, 1 year service maintenance	1 week vacation pay
Philip A. Lepley, 2 year service security	1 week vacation pay
David Kristophel, 1 year service security	1 week vacation pay
Atha W. Belsha, 3 year service security	2 week vacation pay
Garrett R. Tyrrell, 3 year service security	2 week vacation pay
Nick Markovich, 19 years service security	3 weeks vacation pay
Terry Trout, 19 years service security	3 weeks vacation pay

Average week's compensation will be computed by dividing the total number of hours employee worked during the preceding year ended December 31 by number of weeks worked. This factor will be multiplied by the hourly wage for 2004.

Said vacation pay will be paid on the 16th of June, 2004 providing said employee is still employed by the Town of Dune Acres on that date.

Adopted this 15th day of June 2004.

Plan Commission: Paul Shinn requested that the Council approve the plans for construction at 6 Aspen Lane subject to approval of the site grading plan by the Plan Commission after review by Town Engineer John Hannon. Motion for contingent approval of the construction was made by Councilperson John Wilhelm and seconded by Councilperson Louise Roberts and unanimously carried.

QUESTIONS AND DISCUSSIONS: Irv Call suggested that the 2005 budget include funds to install a second VCR and monitor at the Security office. Clerk-Treasurer Anne Hiestand advised that the Town had received a \$500 donation from First National Bank which could be used for that purpose.

Councilperson John Wilhelm moved that the meeting be adjourned, which motion was seconded by Councilperson Louise Roberts and unanimously adopted. Council President Benjamin Bolton adjourned the meeting at 8:26 p.m.

Benjamin Bolton, Town Council President

John Wilhelm, Town Council Member

Louise Roberts, Town Council Member

Anne Hiestand, Clerk-Treasurer